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5 Attorney for: Secured Creditor,
6 Select Portfolio Servicing, Inc., servicing agent for Deutsche Bank National Trust Company, as
trustee for WaMu Mortgage Pass-Through Certificates Series 2005-AR13

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
MODESTO DIVISION

In re:) Case No. 18-90258

Andreas Abramson,) DC No.: JCW-1

Debtor.) Chapter 7

Select Portfolio Servicing, Inc.,)
servicing agent for Deutsche Bank) **DECLARATION IN SUPPORT OF**
National Trust Company, as trustee for) **MOTION FOR RELIEF FROM**
WaMu Mortgage Pass-Through) **STAY**
Certificates Series 2005-AR13,)

Secured Creditor,)

V.

Andreas Abramson, Debtor; and) Ctrm: Suite 4
Michael D. McGranahan, Chapter 7) Place: 1200 I Street, Suite 4
Trustee,) Modesto, CA

Respondents.) Judge: Ronald H. Sargis

1 I, Trent Roesbery, declare and state as follows:

2 1. I am over the age of eighteen years and not a party to this action. The facts set forth
3 below are known to me personally based on my review of business records during the normal
4 course of business and if called as a witness, I could and would, testify competently, under oath
5 to such facts.

6 2. I am a Document Control Officer of Select Portfolio Servicing, Inc., as servicing
7 agent for Deutsche Bank National Trust Company, as trustee for WaMu Mortgage Pass-
8 Through Certificates Series 2005-AR13, "Secured Creditor" herein, and am familiar with the
9 subject Deed of Trust and loan in favor of Secured Creditor herein, and the subject Bankruptcy
10 case.

11 3. I am familiar with the manner and procedure by which the records of Select
12 Portfolio Servicing, Inc. are obtained, prepared, and maintained. Those records are obtained,
13 prepared, and maintained by employees or agents at Select Portfolio Servicing, Inc. in the
14 performance of their regular business duties at or near the time, act, conditions, or events
15 recorded thereon. The records are made either by persons with knowledge of the matters they
16 record or from information obtained by persons with such knowledge. It is Select Portfolio
17 Servicing, Inc.'s business practice to maintain these records in the regular course of business.

18 4. Select Portfolio Servicing, Inc. receives compensation for its servicing of the loan
19 under the terms of a written servicing agreement with Deutsche Bank National Trust Company,
20 as trustee for WaMu Mortgage Pass-Through Certificates Series 2005-AR13 and has been
21 responsible for the handling of all matters relative to the underlying loan prior to the filing of
22 the within motion, including but not limited to processing of all payments received, crediting of
23 received payments, adding all proper charges to the loan, confirming the maintenance of hazard
24 insurance and property taxes, property preservation where appropriate, communicating with and
25 responding to the borrower on all matters relative to the loan, and the commencement of non-
26 judicial foreclosure proceedings when appropriate. All activities on the loan advanced by Select
27 Portfolio Servicing, Inc. were advanced in accordance with the terms of the Note and Deed of
28
29

1 Trust. Select Portfolio Servicing, Inc.'s compensation for its servicing of the loan is reduced by
2 Debtor's nonpayment on the loan, resulting in injury to Select Portfolio Servicing, Inc..
3

4 5. The subject real property securing the Deed of Trust loan is commonly known as 83
Sanguinetti Court, Copperopolis, CA 95228 and legally described as set forth in **Exhibit "1"**.
5

6 6. A true and correct copy of the Assignment transferring the Deed of Trust to
Deutsche Bank National Trust Company, as trustee for WaMu Mortgage Pass-Through
7 Certificates Series 2005-AR13 is attached hereto as **Exhibit "2"**.
8

9 7. Furthermore, Deutsche Bank National Trust Company, as trustee for WaMu
Mortgage Pass-Through Certificates Series 2005-AR13 is the holder of the note dated
10 12/27/2004 in the principal amount of \$802,000.00 which is secured by the Deed of Trust of the
same date. See **Exhibit "3"** which is a copy of the promissory note. Secured Creditor entered
11 in to a Loan Modification Agreement dated 04/01/2012 in the principal amount of \$789,366.77.
12 See **Exhibit "4"**.
13

14 8. Select Portfolio Servicing, Inc. is entitled to enforce the note as the attorney in fact
for Deutsche Bank National Trust Company, as trustee for WaMu Mortgage Pass-Through
15 Certificates Series 2005-AR13. Please see **Exhibit "5"** which is a copy of the Power of
16 Attorney agreement.
17

18 9. The entity has the right to foreclose in the name of: Deutsche Bank National Trust
Company, as trustee for WaMu Mortgage Pass-Through Certificates Series 2005-AR13, its
19 assignees and/or successors and servicing agent Select Portfolio Servicing, Inc.
20

21 10. The Debtor filed this subject bankruptcy petition on 04/13/2018.
22

23 11. Pursuant to the terms of the Note and/or Deed of Trust, a payment received is
applied to the account and credited to the next due payment. For example, a payment received
24 in December will be applied to the November payment if no payment had been received in
November.
25

26 ///
27 ///
28 ///
29

12. With respect to Secured Creditor's Deed of Trust as of 04/18/2018, the following is now due:

| | | |
|------------------------------------|----|------------|
| Unpaid Principal Balance: | \$ | 771,953.53 |
| Accrued Interest as of 04/18/2018: | \$ | 79,885.89 |
| Escrow Advances as of 04/18/2018: | \$ | 74,312.66 |
| Accumulated Late Charges: | \$ | 478.08 |
| Accumulated NSF Charges: | \$ | 25.00 |
| Recoverable Balance: | \$ | 2,162.35 |

DELINQUENCIES

| | | | | | | |
|----|-----------------------------|----|----|------------|----|-------------------|
| 9 | Monthly Payments: | 42 | at | \$3,369.81 | \$ | 141,532.02 |
| 10 | (08/01/13 through 01/01/17) | | | | | |
| 11 | Monthly Payments: | 2 | at | \$4,126.80 | \$ | 8,253.60 |
| 12 | (02/01/17 through 03/01/17) | | | | | |
| 13 | Monthly Payments: | 12 | at | \$4,513.49 | \$ | 54,161.88 |
| 14 | (04/01/17 through 03/01/18) | | | | | |
| 15 | Monthly Payments: | 1 | at | \$4,869.07 | \$ | 4,869.07 |
| | Partial Payment: | | | | \$ | (1,150.51) |
| | Total Delinquencies: | | | | \$ | 207,666.06 |

13. The sums set forth in this declaration do not include other fees and charges that might otherwise be included in the event that a payoff is requested or provided.

14. The next scheduled monthly payment of \$4,869.07 is due 05/01/2018, and continuing each month thereafter. However, this amount may be subject to change pursuant to the terms of the applicable loan documents.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 5/22/18 (Date) at Salt Lake City (City), Utah (State).

MICHIGAN STATE
Hot Springs

Signature

Trent Roesbery
Document Control Officer
Select Portfolio Servicing, Inc.

Trent Roesbery
Print Name